

ORIGINAL

FILED IN OPEN COURT
U.S.D.C. Atlanta

NOV 08 2022

Kevin P. Wermer, Clerk
By: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

SERGIO MATA-MANCILLA AND
GUSTAVO SANCHEZ-PAVON

Criminal Indictment

No. 1 22 - CR - 402

THE GRAND JURY CHARGES THAT:

Count One

Beginning on a date unknown to the Grand Jury and continuing up to and including August 17, 2022, in the Northern District of Georgia and elsewhere, the defendants,

SERGIO MATA-MANCILLA and

GUSTAVO SANCHEZ-PAVON,

did knowingly and willfully combine, conspire, confederate, agree, and have a tacit understanding with one another, and other persons known and unknown to the Grand Jury, to violate Title 21, United States Code, Section 841(a)(1), that is to knowingly and intentionally possess with intent to distribute a controlled substance, said conspiracy involving at least 400 grams of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(A), all in violation of Title 21, United States Code, Section 846.

Count Two

On or about August 17, 2022, in the Northern District of Georgia, the defendants,

SERGIO MATA-MANCILLA and

GUSTAVO SANCHEZ-PAVON,

aided and abetted by each other, and others known and unknown to the Grand Jury, did knowingly and intentionally attempt to distribute a controlled substance, said act involving at least 400 grams of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(A), all in violation of Title 21, United States Code, Sections 841(a)(1) and 846 and Title 18, United States Code, Section 2.

Count Three

On or about August 17, 2022, in the Northern District of Georgia, the defendant, SERGIO MATA-MANCILLA, did knowingly possess a firearm, that is, a Sturm, Ruger & Co. LCP .380 caliber handgun, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, attempt to distribute a controlled substance, as alleged in Count Two of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

Count Four

On or about August 17, 2022, in the Northern District of Georgia, the defendant, SERGIO MATA-MANCILLA, knowing that he had been previously convicted of at least one of the following offenses, that is,

- Criminal Street Gang Activity in the Superior Court of DeKalb County, Georgia, on or about June 3, 2011;
- Illegal Re-entry in the United States District Court for the Western District of Texas, on or about April 16, 2019;

each of which was a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a Sturm, Ruger & Co. LCP .380 caliber handgun, said possession being in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1).

Forfeiture

1. Upon conviction of one or more of the offenses alleged in Counts One and Two of this Indictment, the defendants,

SERGIO MATA-MANCILLA and

GUSTAVO SANCHEZ-PAVON,

shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violation, including but not limited to, the following:

(a) MONEY JUDGMENT: A sum of money in United States currency representing the amount of proceeds obtained as a result of each offense, or conspiracy to commit such offense, for which the defendants are convicted.

(b) FIREARMS AND AMMUNITION:

- One (1) Sturm, Ruger & Co. LCP .380 handgun, serial number 380325927, with magazine and 6 rounds of .380 caliber ammunition.
- One (1) Smith & Wesson SW9V handgun, serial number PAY2843, with magazine and 10 rounds of 9mm ammunition.

2. Upon conviction of the offense alleged in Counts Three and Four of this Indictment, the defendant,

SERGIO MATA-MANCILLA

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461, all firearms and ammunition involved in and used in the offenses alleged, including but not limited to:

- One (1) Sturm, Ruger & Co. LCP .380 handgun, serial number 380325927, with magazine and 6 rounds of .380 caliber ammunition.

3. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

A True BILL

Auto 2
FOREPERSON

RYAN K. BUCHANAN

United States Attorney

Irina K. Dutcher

IRINA K. DUTCHER

Assistant United States Attorney

Georgia Bar No. 583088

600 U.S. Courthouse

75 Ted Turner Drive SW

Atlanta, GA 30303

404-581-6000; Fax: 404-581-6181